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In re application of:

WHEELER, Carl J.

Appl. No. 09/580,463

Filed: May 26, 2000

Art Unit: 1632

Examiner: *To Be Assigned*

Atty. Docket:

1530.0220001/EKS/JMC/MJD

For: **Cytofectin Dimers and Methods of
Use Thereof****Information Disclosure Statement**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The Examiner's attention is directed to related, commonly assigned, co-pending U.S. Appl. No. 08/565,756, filed November 30, 1995, and U.S. Appl. No. 09/092,486, filed June 5, 1998. The identification of the above U.S. Patent Applications is not to be construed as a waiver of secrecy as to the application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available

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WHEELER, Carl J.
Appl. No. 09/580,463

to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed within three months of the U.S. filing date or before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

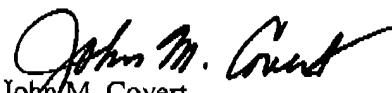
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WHEELER, Carl J.
Appl. No. 09/580,463

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Wheeler, Carl J.

Appl. No. 09/580,463

Filed: May 26, 2000

Art Unit: 1632

Examiner: To Be Assigned

Atty. Docket:

1530.0220001/EKS/JMC/MJD

For: **Cytotectin Dimers and Methods of
Use Thereof****First Supplemental Information Disclosure Statement**Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on August 25, 2000 in connection with the above-captioned application.

The Examiner is also referred to the following commonly owned, co-pending patent applications, which are directed to related technical subject matter:

U.S. Application No. 08/486,533, filed June 7, 1995;
U.S. Application No. 09/487,457, filed January 6, 2000;
U.S. Application No. 09/534,943, filed March 24, 2000;
U.S. Application No. 09/588,655, filed June 6, 2000; and
U.S. Application No. 09/629,430, filed July 13, 2000.

The identification of these U.S. Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present applications as patents. The Examiner is

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Wheeler, Carl J.
Appl. No. 09/580,463

respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement or fee is required.

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Wheeler, Carl J.
Appl. No. 09/580,463

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John M. Covert
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Date: Sept. 25, 2006

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